

GP-1203 #  
1612

PATENT/Docket No.: 4798.P CP



**CERTIFICATE OF MAILING (37 CFR 1.8)**

Date of Deposit with U.S. Postal Service: March 27, 1998

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail under 37 CFR 1.8 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington D.C. 20231.

Julie Lyons, Legal Technician  
Name of Person Mailing Paper

Julie Lyons  
Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit : 1203  
Examiner : A. Rotman  
Applicant(s) : K.R. Romines, et al.  
Serial No. : 08/809,224  
Filed : 4 May 1995  
For : *Compounds Useful to Treat Retroviral Infections*

Commissioner of Patents and Trademarks  
Washington, DC 20231

**TRANSMITTAL OF A RESPONSE TO A NON-FINAL ACTION (37 CFR 1.111)**

Sir:

Transmitted herewith is a reply and/or amendment in the above-captioned application in response to the Examiner's action dated **29 September 1997**.

- The reply and/or amendment is being filed under 37 CFR 1.8 and the required Certificate of Mailing appears above.
- An additional fee in the amount of \$ is required for the amended claims presented and has been calculated as shown in the attached sheet.

Please charge Deposit Account No. **21-0718** in the amount of the additional fee above, or such greater or lesser amount of excess fees for claims as the Commissioner determines is required by law. Triplicate copies of this sheet are enclosed.

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**EXTENSION OF TIME.** In the event this paper is not filed prior to the time set for response, applicant(s) hereby petition for an extension of the period for filing the attached reply and/or amendment to the date of filing this paper, and hereby authorize the Commissioner to charge the extension fee as may be required by 37 CFR 1.17, to Deposit Account No. **21-0718**. If for any reason the extension requested above is insufficient to extend this period to the date of this paper, applicant(s) hereby petition for the revival of the above-captioned application as having been unintentionally abandoned and authorize the Commissioner to charge the required fees under 37 CFR 1.17 to Deposit Account No. **21-0718**.

Respectfully submitted,

Date: 27 March 1998

Martha A. Gammill

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Attachments:

- Reply/Amendment
- Calculation of Additional Fees for Amended Claims



**PATENT**/Docket No. 4798.P CP

Serial No. 08/809,224

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**REPLY AND AMENDMENT UNDER 37 CFR 1.111 and 1.121**

Sir:

In response to the Office Action dated 29 September 1997, Applicants make the following amendments and remarks:

**IN THE CLAIMS:**

Please cancel claims 1-21 and 23-39.

Please add new claims 40-43 attached hereto as Attachment A.

**REMARKS**

Reconsideration of this application as amended is respectfully requested.

Claims 1-39 are pending in this application.

Of the above claims, claims 23-37 have been withdrawn from consideration.

Claims 1-21, 38 and 39 have been rejected.

Claim 22 has been objected to.

With the above amendments, claims 1-21 and 23-39 have been deleted and new claims 40-43 have been added.

**IMPROPER MARKUSH GROUP**

Claims 1-21 and 39 have been rejected for containing an improper Markush grouping. According to the Examiner, the different Markush groupings of the core rings of the present invention do not belong to a recognized physical or chemical class or to an art-recognized class. In view of the foregoing, the Examiner has required restriction to one of ten (X) independent and distinct inventions under 35 USC 121.

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